

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:06CR3123
)	
V.)	
)	
LUIS ANTONIO FLORES-DOMINGUEZ,)	MEMORANDUM AND ORDER
)	
Defendant.)	

The defendant filed a “Motion for Modification of Petitioner’s Sentence Pursuant to 18 U.S.C. [§] 3582(c)(2) and 2D1.1 Under Amendment 591 to the (sic) Refer to Sec. 2X1.1 Sentencing Guideline Effected (sic) November 1, 2000.” During the filing process a docket clerk incorrectly described the motion as one seeking to “reduce sentence pursuant to crack cocaine Amendment 706” (Filing 121 (docket text).) Notwithstanding that error, the motion submitted by the defendant has no merit because Amendment 591 (effective November 1, 2000), dealing mainly with “school zone” matters, did not apply to the defendant (*see* Presentence Report (filing 78)) and, even if it did, the *2006 Guidelines Manual*, incorporating amendments like 591, was used in this case. (*Id.* ¶ 42.)

IT IS ORDERED that the defendant’s motion (filing 121) is denied.

DATED this 18th day of September, 2009.

BY THE COURT:

Richard G. Kopf
United States District Judge